

RECEIVED

JUN 20 2018

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO****RICHARD W. NAGEL**
Clerk Of Court
CINCINNATI, OHIORichard Barron

(ENTER ABOVE THE NAME OF THE PLAINTIFF IN THIS ACTION)

IF THE PLAINTIFF IS A PRISONER: PRISONER # 653-549

vs.

18-18 CV 430

J. BLACK

M.J. BOWMAN

Toby Holton et al

(ENTER ABOVE THE NAME OF THE DEFENDANT IN THIS ACTION)

IF THERE ARE ADDITIONAL DEFENDANTS PLEASE LIST THEM:

c/o Tony Barnettc/o Kolesarc/o E. Smithc/o A. Smith**COMPLAINT****I. PARTIES TO THE ACTION:**

PLAINTIFF: PLACE YOUR NAME AND ADDRESS ON THE LINES BELOW. THE ADDRESS YOU GIVE MUST BE THE ADDRESS THAT THE COURT MAY CONTACT YOU AND MAIL DOCUMENTS TO YOU. A TELEPHONE NUMBER IS REQUIRED.

Richard Barron #653-549

NAME - FULL NAME PLEASE - PRINT

P.O. Box 45699

ADDRESS: STREET, CITY, STATE AND ZIP CODE

Lucasville, OH 45699-0001

TELEPHONE NUMBER

IF THERE ARE ADDITIONAL PLAINTIFFS IN THIS SUIT, A SEPARATE PIECE OF PAPER SHOULD BE ATTACHED IMMEDIATELY BEHIND THIS PAGE WITH THEIR FULL NAMES, ADDRESSES AND TELEPHONE NUMBERS. IF NO ADDITIONAL PLAINTIFFS EXIST CONTINUE WITH THIS FORM.

PAGE 2 AND 3 OF THIS FORM DEAL ONLY WITH A PLAINTIFF THAT IS INCARCERATED AT THE TIME OF FILING THIS COMPLAINT.

IF YOU ARE A PRISONER FILING A CIVIL SUIT THE FOLLOWING INFORMATION IS REQUIRED:

PREVIOUS LAWSUITS:

- A. HAVE YOU BEGUN OTHER LAWSUITS IN STATE OR FEDERAL COURT DEALING WITH THE SAME FACTS INVOLVED IN THIS ACTION OR OTHERWISE RELATING TO YOUR IMPRISONMENT? YES () NO ☒
- B. IF YOUR ANSWER TO A IS YES, DESCRIBE THE LAWSUIT IN THE SPACE BELOW. (IF THERE IS MORE THAN ONE LAWSUIT, DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THE SAME OUTLINE.)

1. PARTIES TO THIS PREVIOUS LAWSUIT

PLAINTIFFS:

N/A

DEFENDANTS:

2. COURT (IF FEDERAL COURT, NAME THE DISTRICT: IF STATE COURT, NAME THE COUNTY)

N/A

3. DOCKET NUMBER

4. NAME OF THE JUDGE TO WHOM THE CASE WAS ASSIGNED

5. DISPOSITION (FOR EXAMPLE, WAS THE CASE DISMISSED? WAS IT APPEALED? IS IT STILL PENDING?)

6. APPROXIMATE DATE OF THE FILING OF THE LAWSUIT

7. APPROXIMATE DATE OF THE DISPOSITION

PLACE OF PRESENT CONFINEMENT

Southern Ohio Correctional Facility

- A. IS THERE A PRISONER GRIEVANCE PROCEDURE IN THIS INSTITUTION?
YES ☒ NO ☐
- B. DID YOU PRESENT THE FACTS RELATING TO YOUR COMPLAINT IN THIS STATE
PRISONER GRIEVANCE PROCEDURE? YES ☒ NO ☐

C. IF YOUR ANSWER IS YES:

1. WHAT STEPS DID YOU TAKE?

Filed grievances and executed to the Chief
Inspector

2. WHAT WAS THE RESULT?

was retaliated against by issuance of a false
Miscellaneous charge

D. IF YOUR ANSWER IS NO, EXPLAIN WHY NOT.

E. IF THERE IS NO PRISON GRIEVANCE PROCEDURE IN THIS INSTITUTION, DID
YOU COMPLAIN TO PRISON AUTHORITIES? YES ☐ NO ☐

F. IF YOUR ANSWER IS YES:

1. WHAT STEPS DID YOU TAKE?

N/A

2. WHAT WAS THE RESULT?

DEFENDANTS:

PLACE THE NAME AND ADDRESS OF EACH DEFENDANT YOU LISTED IN THE CAPTION ON THE FIRST PAGE OF THIS COMPLAINT. THIS FORM IS INVALID UNLESS EACH DEFENDANT APPEARS WITH FULL ADDRESS FOR PROPER SERVICE.

1. c/o Tony Holton
NAMES - FULL NAME PLEASE
ma.c.i., P.O. Box 740, London, Ohio 43140
ADDRESS - STREET, CITY, STATE AND ZIP CODE
2. c/o Tony Barnett ma.c.i. - same as above
3. c/o E. Smith " "
4. c/o Kdeser " "
5. c/o A. Smith " "
- 6.

IF THERE ARE ADDITIONAL DEFENDANTS, PLEASE CONTINUE LISTING THEM.

STATEMENT OF CLAIM

PLEASE WRITE AS BRIEFLY AS POSSIBLE THE FACTS OF YOUR CASE. DESCRIBE HOW EACH DEFENDANT IS INVOLVED. INCLUDE THE NAME OF ALL PERSONS INVOLVED. GIVE DATES AND PLACES.

DO NOT GIVE ANY LEGAL ARGUMENTS OR CITE ANY CASES OR STATUTES.

IF YOU HAVE A NUMBER OF DIFFERENT CLAIMS; PLEASE NUMBER AND SET FORTH EACH CLAIM IN A SEPARATE PARAGRAPH. USE AS MUCH SPACE AS YOU NEED. YOU ARE NOT LIMITED TO THE PAPERS WE GIVE YOU. ATTACH EXTRA SHEETS THAT DEAL WITH YOUR STATEMENT CLAIM IMMEDIATELY BEHIND THIS PIECE OF PAPER.

Excessive and unnecessary use of force

① On Jan. 21st, 2018, my cell door was opened for lunch time chow, I was a victim of assault by another inmate who attacked me by attempting to punch me. I ducked the swing and I was immediately ordered by correctional officers to put my hands on the wall. I complied, was handcuffed behind my back without incident.

② As I was being escorted out of the cell block, an officer hollered at the escorting officer "Put him in the huckleback!" (This is a term used to assault someone) my handcuffed wrists were pulled over my head and I was immediately assaulted by defendants Kolesar, A. and E. Smith, Holton and Bennett, resulting in a large gash in my lip that started bleeding. All defendants lifted me by my arms and feet and I was half dragged and carried to the infirmary. my head was slammed into the door jams and stairs leading to the medical lobby, where I was carried to the examination room.

③ Defendant Holton kicked me first, then all defendants began kicking me and stomping my head, face and ribs until a nurse came in and caught them in the act. At no time was I resisting or struggling. I was bleeding from my eye and lip and felt my rib was broken.

④ Defendants Kolesar, E. Smith, A. Smith, Holton and Bennett maliciously and substantially utilized unnecessary and excessive use of force on me, violating my 8th Amendment rights, resulting in permanent physical pain and emotional distress. They are sued in their personal and official capacity.

RELIEF

IN THIS SECTION PLEASE STATE (WRITE) BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT, CITE NO CASES OR STATUTES.

(A) Issue a declaratory judgement that all defendants violated Plaintiff's 8th and 14th Amendment rights

(B) Award Plaintiff \$500,000.00 compensatory damages against each individual defendant and \$900,000.00 punitive damages against each individual defendant and \$100,000.00 emotional distress damages against each individual defendant and prejudgement interest

(C) Appoint counsel and award Attorney fees in litigating this Action

(D) All else the court deems just and proper

SIGNED THIS 4th DAY OF June 2018.

Richard Bruno
SIGNATURE OF PLAINTIFF